

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION –
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY**

December 15, 2015

The Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City was called to order at 6:11 p.m. by Mayor / Chairman Ron Morrison.

ROLL CALL

Council / Board members present: Cano, Mendivil, Morrison, Rios, Sotelo-Solis.
Administrative Officials present: Dalla, Deese, Denham, Duong, Manganiello, Parra, Raulston, Rodriguez, Silva, Stevenson, Williams, Ybarra.
Others present: Student Representative Reah Sahagun.

PLEDGE OF ALLEGIANCE TO THE FLAG BY MAYOR RON MORRISON

PUBLIC COMMENTS

Sunshine Horton, El Cajon, encouraged everyone to guide their children in the right way, come together, think and be positive and enjoy the New Year.

Danielle Garcia, Danny Franco and Moises Chavez from Olivewood Elementary School extended an invitation to their 6th Grade Camp fundraising Dinner on December 16th.

Marioos Ugale invited the Mayor and City Council to be guests at the Freedom and Human Trafficking Angels Award Breakfast which will be held in the Library.

AWARDS AND RECOGNITIONS

PERSONNEL RECOGNITION / APPRECIATION ADMIN (604-2-1)

1. Employee of the Quarter 2015 – Ronney Wilson, Firefighter

**COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015
(102-10-10)**

2. National City Host Lions Club OneSight San Diego Clinic Volunteer Certification Presentation

PRESENTATIONS

COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015 (102-10-10)

3. 2015 Regional Walk Scorecard Results. (Kathleen Ferrier, Circulate San Diego)

COUNCIL MEETING PRESENTATIONS / AWARDS & RECOGNITIONS 2015 (102-10-10)

4. A Reason to Survive (ARTS) – End of Year Update. (Ashleigh Starke)
(Copy of Presentation is on file in the Office of the City Clerk)

INTERVIEWS / APPOINTMENTS

BOARDS & COMMISSIONS ADMIN (101-1-1)

5. Interviews and Appointments: Public Art Committee and San Diego Association of Governments (SANDAG). (City Clerk)
Anette Dela Riva appeared for interview.

ACTION: Motion by Sotelo-Solis, seconded by Mendivil, to affirm current SANDAG appointees for three years. Carried by unanimous vote.

CITY COUNCIL

CONSENT CALENDAR

ADOPTION OF CONSENT CALENDAR. Item No. 6 (NCMC), Item No. 7 (Minutes), Item Nos. 8 through 11 (Resolution No. 2015-183 through 2015-186), Item Nos. 12 and 13 (Warrant Registers). Motion by Sotelo-Solis, seconded by Rios, and to approve the Consent Calendar. Carried by unanimous vote.

MUNICIPAL CODE 2015 (506-2-30)

6. MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING THE WAIVING OF THE READING OF THE TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING AND PROVIDING THAT SUCH ORDINANCES SHALL BE INTRODUCED AND/OR ADOPTED AFTER A READING OF THE TITLE ONLY. (City Clerk)

ACTION: Approved. See above.

CONSENT CALENDAR (cont.)

APPROVAL OF MINUTES

7. APPROVAL OF THE MINUTES OF THE ADJOURNED REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF MARCH 24, 2015 AND THE REGULAR MEETING OF THE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY OF DECEMBER 1, 2015. (City Clerk)

ACTION: Approved. See above.

EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)

8. Resolution No. 2015-183. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE LOWEST, RESPONSIVE, RESPONSIBLE BID, FOR THE PURCHASE OF (1) UNMARKED 2015 FORD TAURUS SEL FWD AND (1) 2016 FORD FUSION SE, FOR THE POLICE DEPARTMENT FROM KEARNY PEARSON FORD OF SAN DIEGO, IN THE AMOUNT OF \$49,477.34. (Finance)

ACTION: Adopted. See above.

EQUIPMENT / VEHICLE PURCHASE ADMIN (209-1-1)

9. Resolution No. 2015-184. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE ACCEPTANCE OF THE LOWEST, RESPONSIVE, RESPONSIBLE BID, FOR THE PURCHASE OF (1) UNMARKED 2016 KIA OPTIMA EX, FOR THE POLICE DEPARTMENT FROM TEAM KIA OF EL CAJON, IN THE AMOUNT OF \$25,981.27. (Finance)

ACTION: Adopted. See above.

LABOR RELATIONS PART TIME / TEMPS / SEASONAL 2015-2025 (605-7-3)

10. Resolution No. 2015-185. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING AN AMENDMENT TO THE SALARY SCHEDULE FOR THE PART-TIME AND SEASONAL EMPLOYEE GROUP, MOVING THE CASHIER, DISHWASHER, KITCHEN AIDE AND RECREATION AIDE FROM SALARY RANGE PT039 TO PT042 AND MOVING THE RECREATION LEADER I CLASSIFICATION FROM SALARY RANGE PT042 TO PT045, EFFECTIVE DECEMBER 22, 2015. (Human Resources)

ACTION: Adopted. See above.

CONSENT CALENDAR (cont.)

COUNCIL POLICY MANUAL (102-13-1)

11. Resolution No. 2015-186. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY ADOPTING CITY COUNCIL POLICY #203, "INVESTMENTS," AS AMENDED, FOR FISCAL YEAR 2016, ADDING SUB-SECTIONS "1.B" AND "14.A" THROUGH "14.E" TO SECTION VIII AND ADDING "SUPRANATIONAL" TO THE GLOSSARY OF INVESTMENT TERMS. (Finance)

ACTION: Adopted. See above.

WARRANT REGISTER JULY 2015 – JUNE 2016 (202-1-30)

12. Warrant Register #18 for the period of 10/28/15 through 11/03/15 in the amount of \$1,152,020.73. (Finance)

ACTION: Ratified. See above.

WARRANT REGISTER JULY 2015 – JUNE 2016 (202-1-30)

13. Warrant Register #19 for the period of 11/04/15 through 11/10/15 in the amount of \$2,448,448.70. (Finance)

ACTION: Ratified. See above.

PUBLIC HEARINGS

CONDITIONAL USE PERMITS 2015 (403-30-1)

14. Public Hearing – Conditional Use Permit for alcohol sales at a proposed Hooters Restaurant to be located in Westfield Plaza Bonita. (Applicant: Alcoholic Beverage Consulting on behalf of Hooters Restaurant) (Case File 2015-19 CUP) (Planning) **Companion Item #15**

RECOMMENDATION: Staff recommends approval of the Conditional Use Permit.

TESTIMONY: Izamar Hernandez-Hood, Manager of Plaza Bonita, provided information on the hours of operation and security measures in place at Plaza Bonita.

Steve Rawlings, representing Hooter's, spoke in support of the CUP and responded to questions.

Pastor Harry Bennett, National City, spoke in opposition to the CUP.

Pastor Carolyn Nichols, National City, spoke in opposition.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to close the Public Hearing. Carried by unanimous vote.

EXPARTE CONTACT: All members of the City Council indicated that they had contact with the applicant prior to the Public Hearing.

NON CONSENT RESOLUTIONS

CONDITIONAL USE PERMITS 2015 (403-30-1)

15. Resolution No. 2015-187. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY APPROVING A CONDITIONAL USE PERMIT FOR ALCOHOL SALES AT A PROPOSED HOOTERS RESTAURANT TO BE LOCATED IN WESTFIELD PLAZA BONITA. (Applicant: Alcoholic Beverage Consulting on behalf of Hooters Restaurant) (Case File 2015-19 CUP) (Planning) **Companion Item #14**

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to adopt the Resolution with findings and conditions of approval with modification to end time of 12:00 a.m. for alcohol. Carried by the following vote, to-wit: Ayes: Cano, Morrison, Rios, Sotelo-Solis. Nays: Mendivil. Abstain: None. Absent: None.

CONTRACT (C2011-23)

16. Resolution No. 2015-188. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE A FIFTH AMENDMENT TO THE AGREEMENT WITH SAFDIE RABINES ARCHITECTS TO EXTEND THE TERM OF THE AGREEMENT TO APRIL 30, 2016 AND INCREASE THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT BY \$60,000, FOR A TOTAL AGREEMENT AMOUNT OF \$913,630, TO PROVIDE ADDITIONAL ARCHITECTURAL AND CONSTRUCTION SUPPORT SERVICES FOR THE NATIONAL CITY AQUATIC CENTER, INCLUDING PREPARATION OF AS-BUILT DRAWINGS. (Engineering/Public Works)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

CONTRACT (C2015-70)

17. Resolution No. 2015-189. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMERESCO, INC., TO CONDUCT AN ENERGY AUDIT OF CITY FACILITIES (PHASE I), DEVELOP A PROJECT SCOPE OF ENERGY AND WATER SAVING MEASURES TO FUND CAPITAL COSTS, FORECAST SAVINGS, AND PRESENT A FINANCING SOLUTION. (Engineering/Public Works)

(Copy of Presentation is on file in the Office of the City Clerk)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to adopt the Resolution. Carried by unanimous vote.

Member Mendivil and Sotelo-Solis disclosed that their homes are in close proximity to the alleys being considered for improvement in Agenda Item No. 18. For that reason they would be recusing themselves from the meeting.

Member Mendivil left the Council Chamber at 8:34 p.m.

Member Sotelo-Solis left the Council Chamber at 8:36 p.m.

NEW BUSINESS

ENGINEERING DEPT - GRANTS / REPORTS ADMIN (1104-1-1)

18. Request for City Council direction on scope of work and schedule for Alley Improvement Project. (Engineering/Public Works)
(Copy of Presentation is on file in the Office of the City Clerk)

RECOMMENDATION: Provide direction on scope of work and schedule for Alley Improvement Project.

TESTIMONY: William McKnight, National City, spoke in support of doing his alley behind "F" Avenue.

William Kemper, National City, supports doing the alley at location #4.

ACTION: Motion by Rios, seconded by Morrison, to approve Option #1 which included locations Nos. 1, 2 and 10. Carried by the following vote, to-wit: Ayes: Cano, Morrison, Rios. Nays: None. Abstain: Mendivil, Sotelo-Solis. Absent. None.

Members Mendivil and Sotelo-Solis returned to the chamber at 8:59 p.m.

FINANCIAL MANAGEMENT 2015-2016 (204-1-31)

19. Investment Report for the quarter ended September 30, 2015. (Finance)
RECOMMENDATION: Accept and file the Investment Report for the Quarter ended September 30, 2015.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to approve staff recommendation. Carried by unanimous vote.

FINANCIAL MANAGEMENT 2015-2016 (204-1-31)

20. Investment transactions for the month ended October 31, 2015. (Finance)
RECOMMENDATION: Accept and file the Investment Transaction Ledger for the month ended October 31, 2015.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to approve staff recommendation. Carried by unanimous vote.

NEW BUSINESS (cont.)

BUDGET FY 2015-2016 (206-1-31)

21. Fiscal Year 2015 and 1st Quarter Fiscal Year 2016 Budget Review.
(Finance)

RECOMMENDATION: Accept the staff report as presented.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Cano, to approve staff recommendation. Carried by unanimous vote.

MIS DEPT ADMIN (1104-1-14)

22. Report providing additional information and seeking direction regarding cablecasting of City of National City Council and Planning Commission meetings, and public service messages. (MIS)

RECOMMENDATION: Staff recommended that the City not pursue cablecasting.

TESTIMONY: None.

ACTION: Motion by Rios, seconded by Cano, to favor Option #3, but return at mid-year budget time with additional information including use of Peg Fee. Carried by the following vote, to-wit: Ayes: Cano, Mendivil, Morrison, Rios. Nays: Sotelo-Solis. Abstain: None. Absent. None.

MUNICIPAL CODE 2015 (506-2-30)

23. Update on Timing, Public Hearing, and Introductions of Ordinances regarding a pending amendment to Title 18 (Zoning) Chapter 18.30.340 of the National City Municipal Code (Medical marijuana dispensaries) to address cultivation of marijuana, specifically seeking to adjourn to January 5, 2016 or other date thereafter for the public hearing and introduction of ordinances. (Case File No. 2015-15 A) (Planning)

RECOMMENDATION: Staff recommends that the City Council adjourn tonight's meeting to the regular meeting of January 5, 2016.

TESTIMONY: None.

ACTION: The consensus was to approve staff recommendation and consider the item at the Regular Meeting on January 5, 2016. There was not vote.

COMMUNITY DEVELOPMENT COMMISSION –
HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY

CONTRACT (C2015-71)

HOUSING AUTHORITY 2015 (404-1-4)

24. Resolution No. 2015-33. RESOLUTION OF THE COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN EXCLUSIVE NEGOTIATING AGREEMENT BY AND BETWEEN THE COMMUNITY DEVELOPMENT COMMISSION-HOUSING AUTHORITY OF THE CITY OF NATIONAL CITY AND LA MAESTRA FAMILY CLINIC, INC. A CALIFORNIA NON-PROFIT, PUBLIC BENEFIT CORPORATION, FOR THE DEVELOPMENT OF A 1.47 ACRE PROPERTY LOCATED BETWEEN ETA STREET AND BUCKY LANE ON NORTH HIGHLAND AVENUE IN NATIONAL CITY. (Housing, Grants, and Asset Management)

RECOMMENDATION: Adopt the Resolution.

TESTIMONY: None.

ACTION: Motion by Sotelo-Solis, seconded by Rios, to adopt the Resolution. Carried by unanimous vote.

STAFF REPORTS

NEIGHBORHOOD SERVICES DEPT ADMIN (1104-1-15)

25. Upgrade on shopping cart removal, business retrieval and enforcement pilot program. (Neighborhood Services)
ACTION: The item was held over to the next meeting.

LAS PALMAS PARK ADMIN (702-3-1)

26. Update on Las Palmas Pool. (Community Services)

Emergency Services Director Frank Parra reported on efforts underway by City crews and volunteers to prepare for the anticipated storm event and provided an update on the availability of sand bags.

City Engineer Steve Manganiello announced that the San Diego County Bike Coalition's has recognized and awarded National City its 2015 Public Agency Partner of the Year Award for all the efforts made to make National City a bike friendly community.

City Manager Leslie Deese reminded the City Council that during the Christmas furlough the Council Chamber will undergo a much needed facelift.

MAYOR AND CITY COUNCIL

Member Mendivil said he would like to continue to advocate for cleanliness and would like to see a committee formed to promote clean-up and improve the image of the city. He believes it is important that businesses be on board and be encouraged and helped to improve their property.

Member Sotelo-Solis extended Christmas and Holiday greetings to the staff and public.

Member Rios said she attended the Resident Leadership Graduation at Sweetwater High School and it was great to see the passion and determination of the graduates to do good for their community and she also expressed appreciation to the Police Officers Association for their annual Holiday Gift and Food Program which was a huge success. Member Rios reported that the Metropolitan Transit Staff (MTS) has chosen Otis Elementary School to receive 139 bikes which will be presented to students tomorrow as part of their annual Christmas Bike giveaway.

Vice Mayor Cano said the past year has been one of accomplishments. He expressed special thanks to the City Manager and her team for all they do. The quick staff responses bring positive feedback from the public. Vice Mayor Cano said he applauds the staff for all they do day-to-day and is glad to be working with everyone.

Mayor Morrison said there have been many holiday events throughout the City and many more to come. It is great to see the community and families coming out. It has been a great year and 2016 will be even greater. The Mayor wished the City staff and the community a Merry Christmas.

CLOSED SESSION REPORT

City Attorney Claudia Silva stated there was nothing to report from the Closed Session. (See attached Exhibit 'L')

ADJOURNMENT

Motion by Sotelo-Solis, seconded by Rios, to adjourn the meeting to the next Regular Meeting of the City Council and Community Development Commission – Housing Authority of the City of National City to be held Tuesday, January 5, 2016 at 6:00 p.m. at the Council Chambers, National City, California. Carried by unanimous vote.

The meeting closed at 10:01 p.m.



City Clerk

The foregoing minutes were approved at the Regular Meeting of March 1, 2016.



Mayor

EXHIBIT 'L'



AGENDA OF A SPECIAL MEETING

**CITY COUNCIL OF THE CITY OF NATIONAL CITY
AND
SUCCESSOR AGENCY TO
THE COMMUNITY DEVELOPMENT COMMISSION AS
THE NATIONAL CITY REDEVELOPMENT AGENCY**

**Main Conference Room
Civic Center
1243 National City Boulevard
National City, California
Special Meeting – Tuesday, December 15, 2015 – 5:00 p.m.**

ROLL CALL

CLOSED SESSION

CITY COUNCIL

1. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Jose Tellez, Mark Roberts, and Eddie Kreisberg
Employee Organization: Police Officers' Association
2. Conference with Labor Negotiators – Government Code Section 54957.6
Agency Designated Representatives: Stacey Stevenson, Claudia Silva, Frank Parra, Mark Roberts, and Tim Davis
Employee Organization: Fire Fighters' Association
3. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
City of National City, Successor Agency v. Morgan Square, Inc.
San Diego Superior Court Case No. 37-2013-00054606-CU-OR-CTL
4. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
Petition of the City of National City for Review of Action by the California Regional Water Quality Control Board, San Diego Region, in Issuing Order No. R9-2013-0001 (NPDES No. CAS0109266)
SWRCB/OCC File No. A-2254(g)
5. Conference with Legal Counsel – Initiation of Litigation
Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)
One Potential Case

CLOSED SESSION (cont.)

SUCCESSOR AGENCY

6. Conference with Legal Counsel – Existing Litigation
Government Code Section 54956.9(d)(1)
City of National City, Successor Agency v. Morgan Square, Inc.
San Diego Superior Court Case No. 37-2013-00054606-CU-OR-CTL

ADJOURNMENT

Next Regular City Council Meeting: Tuesday, December 15, 2015, 6:00 p.m., Council
Chambers, Civic Center